

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No: 20780-0025

Applicant(s): Jeffrey W. RUBERTI et al.

Confirmation No.: 4892

App. No.: 10/597,688

Examiner: Unassigned

Filing Date: August 3, 2006

Art Unit: 2627

Title: SYSTEMS AND METHODS FOR CONTROLLING AND FORMING  
POLYMER GELS

**DECLARATION OF JOHN P. ISACSON**

I, John P. Isacson, do hereby declare as follows:

(1) The captioned application entered the national stage on August 3, 2006.

The applicant on the application is Cambridge Polymer Group, Inc. (CPG). The application named Dr. Jeffrey W. Ruberti as an inventor.

(2) Upon information and belief, Dr. Ruberti had requested that correspondence related CPG applications be sent to Dr. Susan Keyes of the Technology Transfer Office of Northeastern University, his current employer. A transmittal letter, declaration, power of attorney and assignment, along with a copy of the application and related documents, were sent to Dr. Keys on December 14, 2006. See Exhibit A.

(3) On April 2, 2007, the USPTO issued a "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)". This notice afforded an extendible two-month time period to file a declaration.

(4) Upon information and belief, on April 6, 2007 an e-mail reminder was sent to Dr. Keyes, and she responded on the same date that all papers had been forwarded to Dr. Ruberti. See Exhibit B.

(5) Upon information and belief, on April 8, 2007 Dr. Ruberti sent an e-mail to the undersigned's assistant, Denise Mayhew, and informed her that he would address the "CPG assignments etc in May." See Exhibit C. Dr. Ruberti's e-mail concludes with:

```
*****
Jeffrey W. Ruberti, Ph.D.
Associate Professor
Department of Mechanical and Industrial Engineering
Northeastern University
Office: 365 Snell Engineering Ctr
Mail to : 334 Snell Engineering Ctr
ph: 617-373-3984 Fax: 617-373-2921
email: j.ruberti@neu.edu
```

```
Beware the lone walrus with yellow tusks and
an unworn mustache pad
```

```
*****
```

(6) Upon information and belief, on May 22, 2007 Dr. Ruberti contacted Ms. Mayhew and to request copies of the "most current assignment and agreement" so that he could make changes to the language. See Exhibit D. On the same day, Ms. Mayhew sent Dr. Ruberti a combined Declaration and Power of Attorney, and an assignment. Ms. Mayhew deleted from the assignment the "modifications and improvements" language as Dr. Ruberti had previously requested. See Exhibit E. That day, Dr. Ruberti inquired as to which documents were due, and Ms. Mayhew responded. See Exhibit F. Dr. Ruberti responded on May 23, 2007 to request revisions to the assignment and compensation for his time to review the application. See Exhibit G.

(7) On May 30, 2007, the undersigned contacted Dr. Ruberti to table the assignment issue for the time being and sign the declaration. See Exhibit H. The undersigned also received a copy of correspondence from Dr. Stephen Spiegelberg, the President and CEO of CPG, to Dr. Ruberti. According to the letter, Dr. Spiegelberg enclosed \$400 check to Dr. Ruberti to sign the assignment and power of attorney. See Exhibit I.

(8) Upon information and belief, on May 31, 2007 Dr. Ruberti e-mailed an declaration with revisions, and explained that he did not have time to read the patent application (described as "100 pages of technical paperwork"). Dr. Ruberti also stated that he would not sign the assignment, and he stated that he destroyed the \$400 check sent to him by Dr. Spiegelberg. See Exhibit J.

(9) On June 1, 2007, the undersigned e-mailed Dr. Ruberti to inform him that the alterations he made to the declaration voided it. See Exhibit K. No further response or other communication has been received from Dr. Ruberti. A declaration complying with the requirements of 37 CFR § 1.63 has not been received from Dr. Ruberti.


(10) On July 2, 2007, Dr. Ruberti was notified by e-mail by the undersigned that a petition under 37 CFR § 1.47 would be filed. See Exhibit L.

(11) Upon information and belief, Dr. Ruberti's current work address is:

Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
334 Snell Engineering Center  
360 Huntington Avenue  
Boston, MA 02115  
Tel: 617-373-3984

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

July 2, 2007



John P. Isacson

# **EXHIBIT A**

1001 Pennsylvania Avenue, NW  
Suite 400 South  
Washington DC 20004-2533  
Telephone 202.416.6800  
Fax 202.416.6899

NEW YORK  
LOS ANGELES  
BOSTON  
BOCA RATON  
NEWARK  
NEW ORLEANS  
DALLAS

## PROSKAUER ROSE LLP

JOHN P. ISACSON  
DIRECT DIAL 202.416.5812  
JISACSON@PROSKAUER.COM

December 14, 2006

### VIA COURIER

Susan Riley Keyes, Ph.D., J.D.  
Technology Transfer Executive  
Division of Technology Transfer  
Northeastern University  
1135 Tremont Street, Suite 960  
Boston MA 02120-2184

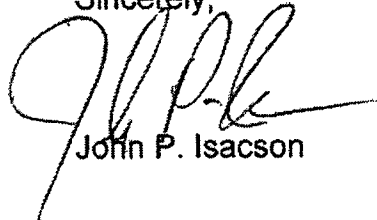
Re: U.S. Application No. 10/597,688 (RUBERTI et al.)  
Natl. Phase of PCT/US2005/004773  
SYSTEMS AND METHODS FOR CONTROLLING AND FORMING  
POLYMER GELS  
Our Reference: 20780-0025

Dear Dr. Keyes:

As discussed, Professor Ruberti would like us to correspond with you regarding the captioned application. The captioned application was placed into the national phase processing in the United States Patent and Trademark Office on August 3, 2006. We enclose a copy of the application and related papers as filed.

After reviewing the application, please ask Professor Ruberti to execute the enclosed Declaration and Power of Attorney and Assignment forms and return them to us as soon as possible. Please note that it is preferable that the Assignment be executed concurrently with or subsequent to the Declaration.

Sincerely,



John P. Isacson

JPI/dm  
Enclosure(s)

|                                 |                          |                                  |
|---------------------------------|--------------------------|----------------------------------|
| <b>ASSIGNMENT AND AGREEMENT</b> | Attorney Docket No.      | <b>20780-0025</b>                |
|                                 | First Named Inventor     | <b>Jeffrey W. RUBERTI et al.</b> |
|                                 | <b>COMPLETE IF KNOWN</b> |                                  |
|                                 | Application No.          | <b>10/597,688</b>                |
|                                 | Filing Date              | <b>August 3, 2006</b>            |
|                                 | Group Art Unit           | <b>Unassigned</b>                |
|                                 | Examiner Name            | <b>Unassigned</b>                |

**WHEREAS**, Jeffrey W. RUBERTI and Gavin J.C. BRAITHWAITE (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **SYSTEMS AND METHODS FOR CONTROLLING AND FORMING POLYMER GELS** for which an application for United States Letters Patent was filed on **August 3, 2006** as Application No. **10/597,688**; and

**WHEREAS**, Cambridge Polymer Group, having its principal place of business at **52-R Roland Street, Boston, MA 02129-1234** (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

**NOW THEREFORE**, in view of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

**ASSIGNOR HEREBY AUTHORIZES AND REQUESTS** the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

**ASSIGNOR HEREBY AGREES** (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions under the intellectual property laws of the United States and countries foreign thereto. ASSIGNOR will be fairly compensated for any time expended on the above activities at a rate commensurate with standard practice and that is agreed upon by ASSIGNOR and ASSIGNEE in advance.

**ASSIGNOR HEREBY REPRESENTS AND WARRANTS** that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

**ASSIGNOR HEREBY GRANTS** to the law firm of **Proskauer Rose LLP** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

**ASSIGNOR UNDERSTANDS AND AGREES** that the attorneys and agents of the law firm of **Proskauer Rose LLP** do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

|  |  |                        |  |
|--|--|------------------------|--|
| <b>Name of First Inventor:</b>   |  |                        |  |
| Given Name (first and middle (if any))   |  | Family Name or Surname |  |
| Jeffrey W.   |  | RUBERTI                |  |
| Inventor's Signature   |  | Date                   |  |
| Name of Witness (print or type):   |  | Date                   |  |
| Signature:   |  |                        |  |
| <b>Name of Second Inventor:</b>  |  |                        |  |
| Given Name (first and middle (if any))   |  | Family Name or Surname |  |
| Gavin J. C.  |  | BRAITHWAITE            |  |
| Inventor's Signature   |  | Date                   |  |
| Name of Witness (print or type):   |  | Date                   |  |
| Signature:   |  |                        |  |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto. |  |                        |  |



|   |                          |                           |
|---|--------------------------|---------------------------|
| <b>DECLARATION AND POWER<br/>OF ATTORNEY FOR UTILITY<br/>OR DESIGN<br/>PATENT APPLICATION</b><br><br><input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration<br><br>Submitted with      Submitted after Initial<br><br>Initial Filing      Filing (surcharge<br>37 CFR 1.16(e) required) | Attorney Docket No.      | 20780-0025                |
|   | First Named Inventor     | Jeffrey W. RUBERTI et al. |
|   | <b>COMPLETE IF KNOWN</b> |                           |
|   | Application Serial No.   | 10/597,688                |
|   | Filing Date              | August 3, 2006            |
|   | Group Art Unit           | Unassigned                |
|   | Examiner Name            | Unassigned                |

As a below named inventor, I hereby declare that:

My (our) residence, mailing address, and citizenship are as stated below next to my name. I (we) believe I (we) am (are) the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEMS AND METHODS FOR CONTROLLING AND FORMING POLYMER GELS**

the specification of which:

☒ was filed on **August 3, 2006** as United States Application Serial Number **10/597,688**

I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above. I (we) acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or Patent Cooperation Treaty (PCT) or international filing date of the continuation-in-part application.

**For Assigned or Obligated to be Assigned Inventions:** By executing this Power of Attorney, (I am)/(we are) allowing **PROSKAUER ROSE LLP** (the Firm) to prosecute the above-referenced patent application and to prosecute any matters that arise before the Patent Office during the enforceable life of the above-identified application, any patent that issues from this application and any future applications and/or patents, in any country, that claim priority to the above-identified application/patent. Although the Power states that (I am)/(we are) appointing the Firm with "power of attorney" for the sole purpose of prosecuting the matters arising before the Patent Office in connection with the patent and patent application, that appointment is understood solely in light of my (our) nominal interest in the application/ patent. I/we understand that, despite the use of the phrase "power of attorney," the executed power of attorney does not create any attorney-client relationship between me/us and the Firm, or between the Firm and any other person. The assignee in law or in fact will remain the Firm's sole client with respect to the application and/or patent. Accordingly, the firm understands, and my/our signature on the Power confirms, that the Firm has no attorney - client relationship with Assignor/inventor, or with me/us personally.

I (we) hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), 172 or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any Patent Cooperation Treaty (PCT) or international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT or international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Claimed         | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I (we) hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |
|------------------------------|--------------------------|--|
| 60/400,899                   | August 2, 2002           |  |
|                              |                          |  |

**DECLARATION – Utility or Design Patent Application**

I (we) hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any Patent Cooperation Treaty or international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or Patent Cooperation Treaty or International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or Patent Cooperation Treaty or international filing date of this application.

| U.S. Parent Application or PCT Parent<br>Serial Number | Parent Filing Date<br>(MM/DD/YYYY) | Parent Patent Number<br>(if applicable) |
|--|------------------------------------|---|
| PCT/US2005/004773                                      | February 4, 2005                   |   |
| PCT/US2004/03135                                       | February 4, 2004                   |   |
| 10/771,852   | February 4, 2004                   |   |
| 10/631,491   | July 31, 2003                      |   |

☐ Additional U.S. or Patent Cooperation Treaty or international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I (we) hereby appoint(s) the practitioners associated with:

**Customer Number: 61263**

as attorney(s) and/or agent(s) to prosecute and transact all business in the U.S. Patent and Trademark Office in connection therewith. Customer Number 61263 is assigned to Proskauer Rose LLP, 1001 Pennsylvania Avenue, N.W., Suite 400 South, Washington, DC. 20004.

As a named inventor, I (we) hereby grant additional Power of Attorney to the attorney(s) and/or agent(s) named below to file and prosecute foreign national applications in any and all countries of the world, regional patent applications under the European Patent Convention and/or international applications under the Patent Cooperation Treaty based upon the patent application identified above, including power to meet all designated office requirements for designated states.

| Name                   | Reg. No.         | Name                | Reg. No.         |
|------------------------|------------------|---------------------|------------------|
| David W. Laub          | Reg. No. 38,708  | Steven M. Bauer     | Reg. No.: 31,481 |
| David Baltazar         | Reg. No.: 53,964 | Tiffany A. Levato   | Reg. No.: 50,160 |
| John P. Isacson        | Reg. No.: 33,715 | Robert S. Mayer     | Reg. No.: 38,544 |
| Paul Booth             | Reg. No.: 40,244 | Joseph M. Maraia    | Reg. No.: 55,926 |
| Colin Sandercock       | Reg. No.: 31,298 | Silvana M. Merlino  | Reg. No.: 44,237 |
| Joseph A. Capraro, Jr. | Reg. No.: 36,471 | David G. Miranda    | Reg. No.: 42,898 |
| Mark A. Catan          | Reg. No.: 38,720 | Kristen H. Neuman   | Reg. No.: 35,530 |
| Anthony C. Coles       | Reg. No.: 34,139 | Jeremy P. Oczek     | Reg. No.: 50,794 |
| Breda Donovan          | Reg. No.: 52,828 | Kenneth Rubenstein  | Reg. No.: 30,586 |
| Alan Federbush         | Reg. No.: 37,619 | Erik Saarmaa        | Reg. No.: 56,834 |
| Todd A. Gerety         | Reg. No.: 51,729 | James H. Shalek     | Reg. No.: 29,749 |
| Nolan Goldberg         | Reg. No.: 54,126 | John C. Stellabotte | Reg. No.: 47,969 |
| Louis Greco            | Reg. No.: 41,799 | Deborah M. Vernon   | Reg. No.: 55,699 |
| Charles Guttman        | Reg. No.: 29,161 | Baldassare Vinti    | Reg. No.: 43,970 |
| Tzvi Hirshaut          | Reg. No.: 38,732 | Carolyn E. Whyte    | Reg. No.: 55,728 |
| Sandra A. Brockman-Lee | Reg. No.: 44,045 | Scott K. Witonsky   | Reg. No.: 56,471 |

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

**PROSKAUER ROSE LLP**  
**1001 Pennsylvania Avenue, NW**  
**Suite 400 South**  
**Washington, DC 20004**  
**Tel. No.: (202) 416-6800**  
**Fax No.: (202) 416-6899**

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|                              |   |      |  |
|------------------------------|---|------|--|
| <b>First Inventor:</b>       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |      |  |
| <b>Name:</b>                 | Jeffrey W. RUBERTI  |      |  |
| <b>Citizenship:</b>          | U.S.A.  |      |  |
| <b>Mailing Address:</b>      | 47 School Street, Lexington, MA 02421   |      |  |
| <b>Inventor's Signature:</b> |   | Date |  |
| <b>Second Inventor:</b>      | <input type="checkbox"/> A petition has been filed for this unsigned inventor |      |  |
| <b>Name:</b>                 | Gavin J. C. BRAITHWAITE   |      |  |
| <b>Citizenship:</b>          | United Kingdom  |      |  |
| <b>Mailing Address:</b>      | 860 Massachusetts Avenue, Unit 850-10, Cambridge, MA 02139-3026               |      |  |
| <b>Inventor's Signature:</b> |   | Date |  |

# **EXHIBIT B**

## Mayhew, Denise

---

**From:** S.Keyes@neu.edu  
**Sent:** Friday, April 06, 2007 10:00 AM  
**To:** Mayhew, Denise  
**Cc:** j.ruberti@neu.edu; S.Keyes@neu.edu  
**Subject:** Re: Our Reference: 20780-0025

Denise,

All papers have been forwarded to Dr. Ruberti.

Regards, Susan

Susan Riley Keyes, Ph.D., J.D.  
Technology Transfer Executive  
Division of Technology Transfer  
Northeastern University [Overnight Address]  
360 Huntington Avenue, 960 RN 1135 Tremont Street, Suite 960  
Boston MA 02115-5000 Boston MA 02120-2184  
phone: 617-373-5313  
fax: 617-373-8866  
email: s.keyes@neu.edu

To: S.Keyes@neu.edu  
cc: j.ruberti@neu.edu  
bcc:  
Subject: Our Reference: 20780-0025  
"Mayhew, Denise" <DMayhew@proskauer.com>

04/06/2007 09:51 AM AST

\*\* Please confirm receipt via return e-mail. \*\*

Re: U.S. App. No. 10/587,688 (RUBERT et al.)  
Due Date: June 2, 2007

Dear Dr. Keyes:

We forwarded the attached letter to you on December 14, 2006 regarding Jeffrey Ruberti. We have received notice from the USPTO that the executed Declaration and Power of Attorney form is due on June 2, 2007. Please advise us of the status of the executed Declaration and Power of Attorney and Assignment forms.

Regards,  
Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

\*\*\*\*\*  
To ensure compliance with requirements imposed by U.S. Treasury Regulations, Proskauer Rose LLP informs you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.  
\*\*\*\*\*

# **EXHIBIT C**

Isacson, John P.

---

**From:** Mayhew, Denise  
**Sent:** Tuesday, May 22, 2007 3:25 PM  
**To:** Mayhew, Denise  
**Subject:** [0025] E-Mail from Jeffrey Ruberti dated 4/8/07

**Attachments:** (9154984\_1)[0025] Letter to Susan Keys dated 12\_14\_06.PDF



(9154984\_1)[0025]  
Letter to Su...

-----Original Message-----

**From:** j.ruberti@neu.edu [mailto:j.ruberti@neu.edu]  
**Sent:** Sunday, April 08, 2007 12:48 PM  
**To:** Mayhew, Denise  
**Subject:** Re: Our Reference: 20780-0025

Denise,

The spring term will finish at the end of April. I will address the matters on the CPG assignments etc in May.

Jeff

\*\*\*\*\*

Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad

\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

04/06/2007 09:51  
AM

S.Keyes@neu.edu

j.ruberti@neu.edu

Our Reference: 20780-0025

To

cc

Subject

# **EXHIBIT D**



## Mayhew, Denise

---

**From:** j.ruberti@neu.edu  
**Sent:** Tuesday, May 22, 2007 10:35 AM  
**To:** Mayhew, Denise  
**Subject:** Re: Our Reference: 20780-0025

Denise,

Please send me a copy of the most current assignment and agreement.

As I stated in April, I now have some limited time to deal with the CPG issues.

I will make changes and send it back to you for approval this week. There will need to be some language changes.

Jeff

\*\*\*\*\*

Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad

\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

05/21/2007 12:13  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>

Our Reference: 20780-0025

To

cc

Subject

\*\* Please confirm receipt via return e-mail. \*\*

Re: U.S. App. No. 10/587,688 (RUBERTI et al.)  
Due Date: June 2, 2007

Dear Dr. Ruberti:

Thank you for your email of April 8, 2007 regarding the captioned application. The executed Declaration and Power of Attorney and Assignment forms are due in the USPTO on June 2, 2007. Please advise us of the status of these forms.

Regards,  
Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

\*\*\*\*\*  
To ensure compliance with requirements imposed by U.S. Treasury Regulations, Proskauer Rose LLP informs you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

\*\*\*\*\*  
This message and its attachments are sent from a law firm and may contain information that is confidential and protected by privilege from disclosure. If you are not the intended recipient, you are prohibited from printing, copying, forwarding or saving them. Please delete the message and attachments without printing, copying, forwarding or saving them, and notify the sender immediately.

=====

# **EXHIBIT E**

## Mayhew, Denise

---

**From:** Mayhew, Denise  
**Sent:** Tuesday, May 22, 2007 4:04 PM  
**To:** 'j.ruberti@neu.edu'  
**Cc:** Isacson, John P.; 'S.Keyes@neu.edu'  
**Subject:** Our Reference: 20780-0025

**Importance:** High

**Attachments:** (9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF; (9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF

**\*\* Please confirm receipt via return e-mail. \*\***

Re: U.S. App. No. 10/587,688 (RUBERTI et al.)  
**Due Date: June 2, 2007**

Dear Dr. Ruberti:

Pursuant to your request, attached are the Declaration and Power of Attorney and Assignment forms regarding the captioned application. Please note that the "improvements and modifications" language has been removed from the Assignment.

The executed forms are due in the USPTO on June 2, 2007. Please execute the forms and return them to us as soon as possible. A fax copy is acceptable for filing in the PTO.

Regards,  
Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com



(9686011\_1)[0025](9686007\_1)[0025]  
Declaration ... Assignment (...)

**Tracking:**  
Recipient  
'j.ruberti@neu.edu'  
Isacson, John P.  
'S.Keyes@neu.edu'

**Delivery**

Delivered: 5/22/2007 4:04 PM

# **EXHIBIT F**

## Mayhew, Denise

---

**From:** Mayhew, Denise  
**Sent:** Tuesday, May 22, 2007 4:49 PM  
**To:** 'j.ruberti@neu.edu'  
**Cc:** Isacson, John P.  
**Subject:** Our Reference: 20780-0025

**Attachments:** (9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07).PDF; (9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07).PDF; (9495842\_1)[0025] Notification of Missing Requirements dated 4\_2\_07.PDF



{9686011\_1}[0025]{9686007\_1}[0025]{9495842\_1}[0025]  
Declaration ... Assignment (...) Notification...

Dr. Ruberti:

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Regards,  
Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

-----Original Message-----

From: j.ruberti@neu.edu [mailto:j.ruberti@neu.edu]  
Sent: Tuesday, May 22, 2007 4:15 PM  
To: Mayhew, Denise  
Subject: Re: Our Reference: 20780-0025

What forms are due at the USPTO? Certainly not assignment and agreement forms?

Please be specific about what forms are mandated to be due by the USPTO.

Jeff

\*\*\*\*\*  
Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad

\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

05/22/2007 04:03  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>,  
S.Keyes@neu.edu

To

cc

Subject

Our Reference: 20780-0025

\*\* Please confirm receipt via return e-mail. \*\*

Re: U.S. App. No. 10/587,688 (RUBERTI et al.)  
Due Date: June 2, 2007

Dear Dr. Ruberti:

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Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

<<(9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF>> <<(9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF>>

\*\*\*\*\*  
To ensure compliance with requirements imposed by U.S. Treasury Regulations, Proskauer Rose LLP informs you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i)

# **EXHIBIT G**



**Isacson, John P.**

---

**From:** Mayhew, Denise  
**Sent:** Wednesday, May 23, 2007 10:25 AM  
**To:** Mayhew, Denise  
**Subject:** [0025] E-Mail from Jeffrey Ruberti dated 5/23/07

**Attachments:** assignment and agreement jwr.pdf



assignment and  
agreement jwr.p...

-----Original Message-----

From: j.ruberti@neu.edu [mailto:j.ruberti@neu.edu]  
Sent: Wednesday, May 23, 2007 10:09 AM  
To: Mayhew, Denise  
Cc: Isacson, John P.  
Subject: Re: Our Reference: 20780-0025

Denise and John,

I have attached a copy of the assignment and agreement with changes that I would like to see. Please fix it and send it back.

Have CPG agree to compensate me for the review of the PVA patent prior to assigning power of attorney. As I said before, it will take about 3-4 hours to review before I can assign it or pass on power of attorney. CPG may determine how much they would like to pay for the time. But I want the check first.

I do not trust Proskauer after the putative accidental document switch from before. In Denise's recent email, I was not encouraged by the carefully couched implication that the assignment and agreement form (see Denise's quote below) was due at the USPTO. This is a lie. Patents can be assigned at any time and you know it. You just need the power of attorney, so state that clearly. I will cease dealing with you if there is one more piece of junk maneuver like this.

"The executed forms are due in the USPTO on June 2, 2007. Please execute the forms and return them to us as soon as possible. A fax copy is acceptable for filing in the PTO."

I await the revised agreement and the amount CPG wants to pay for my time.

I am also modifying the power of attorney form and will send that to you shortly.

Jeff

(See attached file: assignment and agreement jwr.pdf)  
\*\*\*\*\*  
Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr

# **EXHIBIT H**

## Mayhew, Denise

---

**From:** Isacson, John P.  
**Sent:** Wednesday, May 30, 2007 12:02 PM  
**To:** Mayhew, Denise  
**Subject:** FW: Our Reference: 20780-0025

**Attachments:** assignment and agreement jwr.pdf



assignment and  
agreement jwr.p...

FYI

-----Original Message-----

From: Isacson, John P.  
Sent: Wednesday, May 30, 2007 11:54 AM  
To: 'j.ruberti@neu.edu'  
Subject: FW: Our Reference: 20780-0025

Dr. Ruberti,

I think most to all of the changes to the assignment will be workable, but we can table that for the time being. Please send me the signed declaration so that I can file it in the patent office by June 2, 2007. Thank you, John

John Isacson | PROSKAUER ROSE LLP  
Member of the Firm  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5812 | F: 202.416.6899  
jisacson@proskauer.com | www.proskauer.com

-----Original Message-----

From: j.ruberti@neu.edu [mailto:j.ruberti@neu.edu]  
Sent: Wednesday, May 23, 2007 10:09 AM  
To: Mayhew, Denise  
Cc: Isacson, John P.  
Subject: Re: Our Reference: 20780-0025

Denise and John,

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Jeff

(See attached file: assignment and agreement jwr.pdf)  
\*\*\*\*\*  
Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad  
\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

05/22/2007 04:48  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>

To

cc

Subject

Our Reference: 20780-0025

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Denise

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Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
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Subject: Re: Our Reference: 20780-0025

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Please be specific about what forms are mandated to be due by the USPTO.

Jeff

\*\*\*\*\*  
Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad

\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

05/22/2007 04:03  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>,  
S.Keyes@neu.edu

To

cc

Subject

Our Reference: 20780-0025

\*\* Please confirm receipt via return e-mail. \*\*

Re: U.S. App. No. 10/587,688 (RUBERTI et al.)  
Due Date: June 2, 2007

Dear Dr. Ruberti:

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Denise

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dmayhew@proskauer.com | www.proskauer.com

<<(9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF>> <<(9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF>>

\*\*\*\*\*  
To ensure compliance with requirements imposed by U.S. Treasury Regulations, Proskauer Rose LLP informs you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

\*\*\*\*\*  
This message and its attachments are sent from a law firm and may contain information that is confidential and protected by privilege from disclosure. If you are not the intended recipient, you are prohibited from printing, copying, forwarding or saving them. Please delete the message and attachments without printing, copying, forwarding or saving them, and notify the sender immediately.

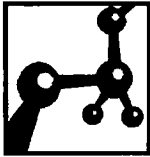
=====

(See attached file: (9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF) (See attached file: (9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF)

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\*\*\*\*\*  
This message and its attachments are sent from a law firm

# EXHIBIT I



**Cambridge  
Polymer Group, INC.**

Consultation, Testing, and Instrumentation for Polymeric Materials

52-R Roland St.  
Boston, MA 02129  
(617) 629-4400  
fax: (617) 629-9100

May 30, 2007

Jeffrey Ruberti  
Northeastern University  
334 SN  
360 Huntington Ave.  
Boston, Massachusetts 02115

RE: Patent Assignment and Declaration Forms for US Application 10/560,263

Dear Jeff,

Pursuant to your email sent to Proskauer Rose on 5/23/2007, Cambridge Polymer Group agrees to pay you \$400 in consideration for your signing the Patent Assignment Agreement and Power of Attorney, provided that Proskauer Rose receives the executed documents by 5:00 pm EST on June 15, 2007. I enclose a check for \$400 as advance payment for the work. If you are not able to complete the work by June 15, 2007, please destroy the check.

Sincerely,

Stephen Spiegelberg

/enclosure

Cc: John Isacson, PR  
Orhun Muratoglu, CPG  
Gareth McKinley, CPG  
Gavin Braithwaite, CPG



# **EXHIBIT J**

Isacson, John P.

---

**From:** j.ruberti@neu.edu  
**Sent:** Thursday, May 31, 2007 6:42 PM  
**To:** Isacson, John P.  
**Cc:** steve@campoly.com  
**Subject:** Re: FW: Our Reference: 20780-0025

**Attachments:** declaration 3.jpg; declaration 1.jpg; declaration 2.jpg; assignment and agreement jwr.pdf



declaration 3.jpg  
(189 KB)



declaration 1.jpg  
(333 KB)



declaration 2.jpg  
(320 KB)



assignment and  
agreement jwr.p...

Dear John and Steve,

I have modified the declaration of the power of attorney and signed it.  
It is attached as a series of JPEG files.

I could not attest in the declaration that I have reviewed and agree with the contents of the patent application as I have not read it. So I took that part of the declaration out. As you know, faculty positions are very time consuming jobs. I cannot read through 100 pages of technical paperwork and do an honest job of it in a short time period. I cannot take the time away from my family to vet this document. I am sure I can assign Proskauer power of attorney without stating I have read the patent (Isn't that what a petition does?).

I also made changes to limit the power of attorney that I have assigned to Proskauer (I just declared for this family of applications but not to future patent applications or continuations).

With regard to the assignment and agreement I cannot sign it the way it is. As per your instructions Steve, I have destroyed the check since I could not execute both documents as they were written. Is there no way you can just assign the patent to CPG without all of the statements about good and valuable consideration and about having me provide information to CPG at its request? CPG has my notebooks from the time I was there and working on this stuff. What else do you need? I have already agreed that certain patents will be assigned to CPG when I left. Attach that document to the power of attorney and send it to the USPTO. If the assignment needs to be formally reiterated, send me a document that states only that I assign the current patent application to CPG and nothing else.  
(See attached file: declaration 3.jpg) (See attached file: declaration 1.jpg) (See attached file: declaration 2.jpg)  
Cheers,

Jeff

\*\*\*\*\*  
Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
Mail to : 334 Snell Engineering Ctr  
ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

\*\*\*\*\*

"Isacson, John  
P."  
<jisacson@proskau  
er.com>

j.ruberti@neu.edu

To

cc

05/30/2007 11:54  
AM

Subject

FW: Our Reference: 20780-0025

Dr. Ruberti,

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John Isacson | PROSKAUER ROSE LLP  
Member of the Firm  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
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jisacson@proskauer.com | www.proskauer.com

-----Original Message-----

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Sent: Wednesday, May 23, 2007 10:09 AM  
To: Mayhew, Denise  
Cc: Isacson, John P.  
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Associate Professor  
Department of Mechanical and Industrial Engineering  
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Office: 365 Snell Engineering Ctr  
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ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

Beware the lone walrus with yellow tusks and  
an unworn mustache pad  
\*\*\*\*\*

"Mayhew, Denise"  
<DMayhew@proskauer.com>

05/22/2007 04:48  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>

Our Reference: 20780-0025

To

cc

Subject

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Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

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Sent: Tuesday, May 22, 2007 4:15 PM  
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Subject: Re: Our Reference: 20780-0025

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Associate Professor  
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Office: 365 Snell Engineering Ctr  
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"Mayhew, Denise"  
<DMayhew@proskaue  
r.com>

05/22/2007 04:03  
PM

j.ruberti@neu.edu

"Isacson, John P."  
<jisacson@proskauer.com>,  
S.Keyes@neu.edu

To

cc

Subject

Our Reference: 20780-0025

\*\* Please confirm receipt via return e-mail. \*\*

Re: U.S. App. No. 10/587,688 (RUBERTI et al.)  
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Attorney and Assignment forms regarding the captioned application. Please note that the "improvements and modifications" language has been removed from the Assignment.

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Denise

Denise M. Mayhew | PROSKAUER ROSE LLP  
Patent Assistant  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5819 | F: 202.416.6899  
dmayhew@proskauer.com | www.proskauer.com

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=====

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=====

[attachment "(9686011\_1)[0025] Declaration and Power of Attorney (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF" deleted by Jeffrey Ruberti/COE/NEU]  
[attachment "(9686007\_1)[0025] Assignment (Sent to Jeffrey Ruberti on 5\_22\_07.).PDF" deleted by Jeffrey Ruberti/COE/NEU] [attachment "(9495842\_1)[0025] Notification of Missing Requirements dated 4\_2\_07.PDF" deleted by Jeffrey Ruberti/COE/NEU]

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=====

(See attached file: assignment and agreement jwr.pdf)

# **EXHIBIT K**



**Isacson, John P.**

---

**From:** Isacson, John P.  
**Sent:** Friday, June 01, 2007 9:12 AM  
**To:** 'j.ruberti@neu.edu'  
**Cc:** steve@campoly.com  
**Subject:** RE: FW: Our Reference: 20780-0025

Dear Dr. Ruberti,

Your alterations to the declaration form render it void and no longer a declaration. It is a requirement of the patent laws that the inventor attest to reviewing and understanding the application, and acknowledge the duty to disclose information that is material to patentability. The declaration we sent you is a form document that we send to every inventor, and the language you deleted actually can be found in the PTO's version of the form (PTO/SB/01).

As an alternative, we can have the PTO version form prepared for your signature, the primary difference would be that the power of attorney language is not in the PTO document. Nevertheless, it is a requirement that you have read and understand the application, and acknowledge the duty to disclose. At this juncture, I have two requests:

(1) If you have not read the application to sign the declaration, please state that you are either unable or unwilling to do so at this time.

(2) If you have not read the application, please confirm whether or not you consider yourself to be an inventor.

Thank you, John

John Isacson | PROSKAUER ROSE LLP  
Member of the Firm  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5812 | F: 202.416.6899  
jisacson@proskauer.com | www.proskauer.com

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Sent: Thursday, May 31, 2007 6:42 PM  
To: Isacson, John P.  
Cc: steve@campoly.com  
Subject: Re: FW: Our Reference: 20780-0025

Dear John and Steve,

I have modified the declaration of the power of attorney and signed it. It is attached as a series of JPEG files.

I could not attest in the declaration that I have reviewed and agree with the contents of the patent application as I have not read it. So I took that part of the declaration out. As you know, faculty positions are very time consuming jobs. I cannot read through 100 pages of technical paperwork and do an honest job of it in a short time period. I cannot take the time away from my family to vet this document. I am sure I can assign Proskauer power of attorney without stating I have read the patent (Isn't that what a petition does?).

I also made changes to limit the power of attorney that I have assigned to

Proskauer (I just declared for this family of applications but not to future patent applications or continuations).

With regard to the assignment and agreement I cannot sign it the way it is. As per your instructions Steve, I have destroyed the check since I could not execute both documents as they were written. Is there no way you can just assign the patent to CPG without all of the statements about good and valuable consideration and about having me provide information to CPG at its request? CPG has my notebooks from the time I was there and working on this stuff. What else do you need? I have already agreed that certain patents will be assigned to CPG when I left. Attach that document to the power of attorney and send it to the USPTO. If the assignment needs to be formally reiterated, send me a document that states only that I assign the current patent application to CPG and nothing else.  
(See attached file: declaration 3.jpg) (See attached file: declaration 1.jpg) (See attached file: declaration 2.jpg)  
Cheers,

Jeff

\*\*\*\*\*

Jeffrey W. Ruberti, Ph.D.  
Associate Professor  
Department of Mechanical and Industrial Engineering  
Northeastern University  
Office: 365 Snell Engineering Ctr  
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ph: 617-373-3984 Fax: 617-373-2921  
email: j.ruberti@neu.edu

\*\*\*\*\*

"Isacson, John  
P."  
<jisacson@proskau  
er.com>

j.ruberti@neu.edu

To

cc

05/30/2007 11:54  
AM

Subject

FW: Our Reference: 20780-0025

Dr. Ruberti,

I think most to all of the changes to the assignment will be workable, but we can table that for the time being. Please send me the signed declaration so that I can file it in the patent office by June 2, 2007.  
Thank you, John

John Isacson | PROSKAUER ROSE LLP  
Member of the Firm  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5812 | F: 202.416.6899

# **EXHIBIT L**

**Isacson, John P.**

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**From:** Isacson, John P.  
**Sent:** Monday, July 02, 2007 10:33 AM  
**To:** 'j.ruberti@neu.edu'  
**Cc:** 'steve@campoly.com'; 'S.Keyes@neu.edu'  
**Subject:** Declaration

**Importance:** High

Dr. Ruberti,

Today, I have to file a declaration for you by petition under 37 CFR 1.47 to avoid further extension fees being incurred by CPG. I have not received a response from you to my June 1, 2007 e-mail, and I have not received a declaration from you that complies with 37 CFR 1.63. As such, I must conclude that you are refusing to join in the application at the present time.

You will be permitted to subsequently join in the application if you should so choose by reviewing and understanding the application, acknowledging the duty to disclose information that is material to patentability, and signing a declaration that complies with 37 CFR 1.63.

Please contact me if you have any questions.

John Isacson | PROSKAUER ROSE LLP  
Member of the Firm  
1001 Pennsylvania Avenue, NW | Suite 400 South | Washington, DC 20004-2533  
V: 202.416.5812 | F: 202.416.6899  
jisacson@proskauer.com | www.proskauer.com

-----Original Message-----

From: Isacson, John P.  
Sent: Friday, June 01, 2007 9:12 AM  
To: 'j.ruberti@neu.edu'  
Cc: steve@campoly.com  
Subject: RE: FW: Our Reference: 20780-0025

Dear Dr. Ruberti,

Your alterations to the declaration form render it void and no longer a declaration. It is a requirement of the patent laws that the inventor attest to reviewing and understanding the application, and acknowledge the duty to disclose information that is material to patentability. The declaration we sent you is a form document that we send to every inventor, and the language you deleted actually can be found in the PTO's version of the form (PTO/SB/01).

As an alternative, we can have the PTO version form prepared for your signature, the primary difference would be that the power of attorney language is not in the PTO document. Nevertheless, it is a requirement that you have read and understand the application, and acknowledge the duty to disclose. At this juncture, I have two requests:

(1) If you have not read the application to sign the declaration, please state that you are either unable or unwilling to do so at this time.

(2) If you have not read the application, please confirm whether or not you consider yourself to be an inventor.

Thank you, John

John Isacson | PROSKAUER ROSE LLP